

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

<b>SOUTHERN JONES,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 1:06CV00078 DJS(LMB)</b>
	)	
<b>JO ANNE B. BARNHART,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	

**REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**


This is an action under 42 U.S.C. § 405(g) for judicial review of defendant's final decision denying plaintiff's application for Disability Insurance Benefits under Title II of the Social Security Act and Supplemental Security Income benefits under Title XVI of the Act. This cause was referred to the undersigned United States Magistrate Judge for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Currently pending is plaintiff's Motion to Dismiss. (Document Number 15). A telephone conference was held with the parties on this date, during which plaintiff's counsel informed the court that he and his client determined that the matter should be dismissed. Defendant's counsel stated that she had no objections.

Accordingly,

**IT IS HEREBY RECOMMENDED** that plaintiff's Motion to Dismiss (Doc. No. 15) be **granted.**

The parties are advised that they have eleven (11) days, until December 8, 2006, to file written objections to this Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), unless an extension of time for good cause is obtained, and failure to file timely objections may result in a waiver of the right to appeal questions of fact. See Thompson v. Nix, 897 F.2d 356, 357 (8th Cir. 1990).

Dated this 27th day of November, 2006.

A handwritten signature in cursive script, reading "Lewis M. Blanton", written in dark ink.

---

LEWIS M. BLANTON  
UNITED STATES MAGISTRATE JUDGE